

(g) *Incomplete or insufficient information.* If the port director is unable to determine the country of origin of an article from the information set forth in the declaration, the declarant shall submit such additional information as requested. Release of the article from Customs custody will be denied until the determination is made based upon the information provided or the best information available. In this regard if incomplete or insufficient information is provided, the port director may consider the experience and costs of domestic industry in similar manufacturing or processing operations.

(h) *Shipments covered by an informal entry.* While a declaration is not required for shipments covered by an informal entry, the port director may require such other evidence of the country of origin as deemed necessary. The filing of the appropriate declaration will be required in a case involving consolidation of individual shipments under §§ 12.131 and 143.22 of this chapter.

(i) *Date of exportation.* For quota, visa or export license requirements, and statistical purposes, the date of exportation for textiles or textile products, subject to section 204, Agricultural Act of 1956, as amended, shall be the date the vessel or carrier leaves the last port in the country of origin, as defined by this section. Contingency of diversion in another foreign territory or country shall not change the date of exportation for quota, visa or export license requirements or for statistical purposes.

[T.D. 85-38, 50 FR 8723, Mar. 5, 1985, as amended by T.D. 86-57, 51 FR 8315, Mar. 11, 1986; T.D. 89-1, 53 FR 51254, Dec. 21, 1988; T.D. 93-27, 58 FR 19349, Apr. 14, 1993; T.D. 94-4, 59 FR 113, Jan. 3, 1994; T.D. 95-69, 60 FR 46197, Sept. 5, 1995]

§ 12.131 Entry of textiles and textile products.

Separate shipments of textiles and textile products, including samples, which originate from a country subject to visa or export license requirements for exports of textiles and textile products, arriving in the customs territory of the United States for one consignee on the same conveyance on the same day, the combined value of which is

over \$250, shall not be entered under the informal entry procedures set forth in subpart C, part 143 or procedures set forth in § 141.52 of this chapter. Port directors shall refuse separate informal entries and require a formal entry and visa or export license, as appropriate, for all such merchandise. A consignee for purposes of this section is the ultimate consignee and does not include a freight forwarder or Customs broker not importing for its own account.

[T.D. 84-171, 49 FR 31253, Aug. 3, 1984]

§ 12.132 Textile and apparel goods under the North American Free Trade Agreement.

(a) *Country of origin declaration.* The provisions of § 12.130(f) of this part regarding submission of a country of origin declaration shall apply to all textile and apparel goods which are subject to the provisions of Annex 300-B of the North American Free Trade Agreement (NAFTA). Although a separate country of origin declaration shall not be required for such goods for NAFTA purposes, the following additional requirements shall apply for purposes of this section:

(1) All commercial importations of textile and apparel goods shall be accompanied by the appropriate declaration;

(2) A declaration by each U.S., Canadian, and/or Mexican manufacturer or producer of the goods, and, if there are multiple manufacturers or producers, a separate declaration by each manufacturer or producer shall be furnished by the importer. Packaging operations shall not be considered manufacture or production for purposes of this paragraph; and

(3) If the port director is unable to determine the country of origin of the goods because the information contained in a declaration is incomplete, the shipment to which that declaration pertains shall not be entitled to preferential tariff treatment or any other benefit under the NAFTA for which it would otherwise be eligible.

(b) *Certificate of eligibility.* In connection with a claim for NAFTA preferential tariff treatment involving non-originating textile and apparel goods subject to the tariff preference level provisions of appendix 6.B. to